



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANT: Shimkets, *et al.*
ASSIGNEE: CuraGen Corporation
SERIAL NUMBER: 09/662,783 EXAMINER: Not Yet Assigned
FILING DATE: September 12, 2000 ART UNIT: 1646
FOR: GROWTH FACTOR POLYPEPTIDES AND NUCLEIC ACIDS ENCODING
SAME

DEC 22 2000

TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

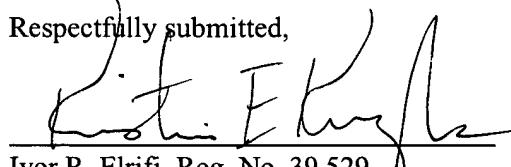
Transmitted herewith for filing in the present application are the following documents:

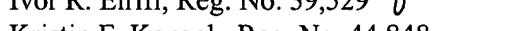
- Information Disclosure Statement (5 pages);
- Modified Form 1449/PTO (4 pages) in duplicate;
- Copies of Cited references A1-A8, B1-B6 and C1-C66;
- Return Postcard

No fee is believed to be due at this time. However, the Commissioner is hereby authorized to charge any additional fees that may be due to Deposit Account No. 50-0311, Reference No. 15966-57 (CURA-77). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617/542-6000, Boston, Massachusetts.

Respectfully submitted,


Ivor R. Elrifi, Reg. No. 39,529


Kristin E. Konzak, Reg. No. 44,848

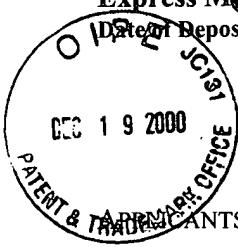
c/o MINTZ, LEVIN, COHN, FERRIS
GLOVSKY AND POPEO, P.C.
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

DATE: December 19, 2000

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Date of Deposit: December 19, 2000

Attorney Docket No. CURA-77 (15966-577)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3
J.Q.J
12/28/00
RECEIVED

APPLICANTS: Shimkets *et al.*
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TECH CENTER 1600/2900

December 19, 2000
Boston, Massachusetts

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

U.S. Patent Documents:

A1	4,816,567	3/28/89	Cabilly, <i>et al.</i>
A2	5,225,539	7/6/93	Winter
A3	5,545,807	8/13/96	Surani, <i>et al.</i>
A4	5,545,806	8/13/96	Lonberg, <i>et al.</i>
A5	5,569,825	10/29/96	Lonberg, <i>et al.</i>
A6	5,625,126	4/29/97	Lonberg, <i>et al.</i>
A7	5,939,598	8/17/99	Kucherlapati, <i>et al.</i>
A8	5,916,771	6/29/99	Hori, <i>et al.</i>

Foreign Patent Documents:

B1	WO	96/41892	Mileham, <i>et al.</i>	12/27/96
B2	WO	00/27879	Eriksson, <i>et al.</i>	5/18/00
B3	WO	94/02602	Kucherlapati, <i>et al.</i>	2/3/94
B4	WO	96/33735	Kucherlapati, <i>et al.</i>	10/31/96
B5	WO	96/34096	Kucherlapati, <i>et al.</i>	10/31/96
B6	WO	99/53049	Davis, <i>et al.</i>	10/21/99

Other Prior Art – Non Patent Literature Documents:

C1 Alon, T., I. Hemo, et al. (1995). "Vascular endothelial growth factor acts as a survival factor for newly formed retinal vessels and has implications for retinopathy of prematurity." *Nat Med* 1(10): 1024-8.

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This Information Disclosure Statement is being filed:

within three months of the filing date of the National Application;

within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International Application; or

before the mailing date of a first Office Action on the merits in the above-identified case.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

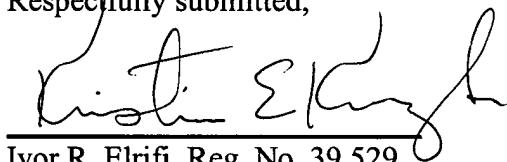
APPLICANTS:
U.S.S.N.:

Shimko *et al.*
09/662,783

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. CURA-77 (15966-577).

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529
Kristin E. Konzak, Reg. No. 44,848
Attorney/Agent for Applicants
c/o MINTZ, LEVIN
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: December 19, 2000

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